



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

ZACHARY W. CARTER
Corporation Counsel

STEPHANIE DE ANGELIS
Assistant Corporation Counsel
phone: (212) 356-3513
fax: (212) 356-3509
email: sdeangel@law.nyc.gov

July 22, 2019

VIA ECF

Honorable John G. Koeltl
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Zeng v. Chell, et al.,
19-CV-3218 (JGK)

Your Honor:

I am an Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, and attorney for defendant City of New York in the above-referenced matter. The undersigned writes to respectfully request a two-week extension of time, from July 22, 2019 until August 5, 2019, for defendants City of New York, Danielle Febus, Gary DeNezzo and Diego Andrianzan to answer or otherwise respond to the Complaint in this matter.¹ This is defendants' second request for an extension of time to answer or otherwise respond to the Complaint and plaintiff's counsel, Edgar Mikel Rivera consents to this request. This request was necessitated because the undersigned was out of the office for large portions of the previous two weeks due to participation in a mandatory training program. Additionally, the undersigned's supervisor was out of the office due to the birth of a child during that time as well. As a result, the undersigned was unable to coordinate a time for all of the above-referenced defendants to come into the Office of Corporation Counsel to conduct a representation interview prior to this deadline. The undersigned recognizes the Court's 48-hour rule for extension requests and apologizes for the belatedness of this application.

¹ Upon information and belief, and according to the docket sheet in this matter, defendants George Tavarez and John Chell have not yet been served.

This enlargement will allow this office time to conduct an inquiry to determine whether it will represent the officers in this action as well as a full inquiry into the facts and circumstances surrounding plaintiff's allegations in this case. See General Municipal Law § 50(k); Mercurio v. City of N.Y., 758 F.2d 862, 864-65 (2d Cir. 1985); William v. City of N.Y., 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law).

For the foregoing reasons, the undersigned respectfully requests that the Court extend defendants City of New York, Danielle Febus, Gary DeNezzo and Diego Andrianzan's time to answer or otherwise respond to the Complaint in this matter by two weeks from July 22, 2019 until August 5, 2019.

The undersigned thanks the Court for its consideration herein.

Respectfully submitted,

/s/

Stephanie De Angelis
Assistant Corporation Counsel

cc: VIA ECF
Edgar Mikel Rivera
The Harman Firm, LLP
381 Park Avenue South
Ste 1220
New York, NY 10016